

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA

Plaintiff,

VS.

PAUL WAGNER

Defendant,

2:10-CR-399-MMD-GWF

MINUTES OF THE COURT

Dated: September 25, 2012

PRESENT:

THE HONORABLE **MIRANDA M. DU, U.S. DISTRICT JUDGE**

DEPUTY CLERK: PEGGIE VANNOZZI COURT REPORTER: ELLEN FORD

PRESENT FOR PLAINTIFF: DANIEL SCHIESS, AUSA

PRESENT FOR DEFENDANT: LAWRENCE SEMENZA, II

JURY TRIAL - DAY 1

Proceedings begin at 9:08 a.m. The prospective jury is not present. Defendant is present. Special Agents Steven Konrad and Michael Rawlins are present as case agents. Chris Abbot and Brian Clark are present as defendant's investigator and technology specialist.

The Court grants Government's Motion in Limine (#93) in part and denies it in part. Mr. Semenza advises the Court that Defendant will participate in sidebars.

84 proposed jurors enter the Courtroom at 9:30 AM and are sworn. Voir Dire begins.

The proposed jurors exit the courtroom at 10:56 AM. The Court discusses the remaining voir dire questions with counsel.

Proceedings recess from 11:03 AM to 11:17 AM. The proposed jurors are present. Voir dire continues.

The Court thanks and excuses all but 32 proposed jurors. The Court advises those proposed jurors to return at 2:00 PM.

The Court advises counsel to return at 1:40 PM to exercise peremptory challenges. Proceedings recess at 12:45 PM.

Proceedings reconvene at 1:40 PM, without the proposed jurors. Counsel exercise peremptory challenges.

The proposed jurors enter the Courtroom at 2:25 PM. 14 jurors are seated and sworn. The Court admonishes the jury.

Mr. Schiess presents the Government's opening statement.

Proceedings recess from 3:31 PM to 3:55 PM. The jury is present.

Mr. Semenza presents the Defendant's opening statement.

IT IS THE ORDER OF THE COURT that this matter is continued to September 26, 2012 at 9:00 AM.

The Court admonishes the jury and they exit at 4:27 PM.

Outside the presence of the jury: Mr. Schiess makes an oral motion to exclude evidence. The Court hears the argument of counsel and preliminarily grants the Government's Motion.

Proceedings recess at 4:37 PM.

**LANCE S. WILSON, CLERK
UNITED STATES DISTRICT COURT**

/s/ Peggie Vannozzi
DEPUTY CLERK